

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

**DEVERICK SCOTT
ADC #131042**

PLAINTIFF

v.

CASE NO: 2:13CV00031 BSM

**ARKANSAS DEPARTMENT
OF CORRECTION et al.**

DEFENDANTS

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge H. David Young and the objections filed by plaintiff have been reviewed. After careful consideration and a *de novo* review of the record, it is concluded that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety in all respects.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's claims against defendant Don Ball are dismissed without prejudice and Ball's name is removed as a party defendant.
2. Plaintiff's complaint is dismissed with prejudice in all other respects.
3. Plaintiff's motion for a temporary restraining order [Doc. No. 97] is denied as moot following the filing of his objections.
4. It is further certified that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 19th day of March 2014.


UNITED STATES DISTRICT JUDGE